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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,926	02/13/2001	Douglas R. Foster	41992-00405	1667
75	90 02/25/2003			
MARSH FISCHMANN & BREYFOGLE LLP Suite 411 3151 South Vaughn Way			EXAMINER	
			PHAM, HUNG Q	
Aurora, CO 80	1014		ART UNIT	PAPER NUMBER
			2172	_

DATE MAILED: 02/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

·>		Application No.	Applicant(s)		
		09/782,926	FOSTER ET AL.		
Office Action Summary		Examiner	Art Unit		
		HUNG Q PHAM	2172		
	The MAILING DATE of this communication app	ears on the cover	sheet with the correspondence address		
Period for Reply					
THE N - Exter after - If the - If NO - Failui - Any re	ORTENED STATUTORY PERIOD FOR REPLY MAILING DATE OF THIS COMMUNICATION. asions of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. period for reply specified above is less than thirty (30) days, a reply period for reply is specified above, the maximum statutory period were to reply within the set or extended period for reply will, by statute, eply received by the Office later than three months after the mailing and patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, howev within the statutory minin ill apply and will expire SI cause the application to I	er, may a reply be timely filed  num of thirty (30) days will be considered timely.  X (6) MONTHS from the mailing date of this communication.  secome ABANDONED (35 U.S.C. § 133).		
Status	D				
1)□	Responsive to communication(s) filed on		-1		
2a)☐	,—	is action is non-fin			
3)□	Since this application is in condition for allowa closed in accordance with the practice under <i>l</i>	•	· ·		
Dispositi	on of Claims	, , , ,	,		
4)🖂	Claim(s) <u>1-26</u> is/are pending in the application	•			
•	4a) Of the above claim(s) is/are withdraw	vn from considera	tion.		
5)	Claim(s) is/are allowed.	· :			
6)□	Claim(s) is/are rejected.				
7)	Claim(s) is/are objected to.				
8) Claim(s) 1-26 are subject to restriction and/or election requirement.					
	on Papers				
9) The specification is objected to by the Examiner.					
10) The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner.					
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).					
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.					
If approved, corrected drawings are required in reply to this Office action.					
12) The oath or declaration is objected to by the Examiner.					
Priority under 35 U.S.C. §§ 119 and 120					
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).					
a) All b) Some * c) None of:					
<ul> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No</li> </ul>					
3. Copies of the certified copies of the priority documents have been received in this National Stage					
application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.					
14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).					
<ul> <li>a) ☐ The translation of the foreign language provisional application has been received.</li> <li>15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.</li> </ul>					
Attachment	t(s)				
2) Notice	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449) Paper No(s)	5) 🔲 1	nterview Summary (PTO-413) Paper No(s) Notice of Informal Patent Application (PTO-152) Other:		

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## **DETAILED ACTION**

## Election/Restrictions

- Restriction to one of the following inventions is required under 35 U.S.C.
  - Claims 1-9, drawn to a system with at least one server for accessing data item in at least one data source, one client, one data channel for providing an interface between server and client, and one client tool for displaying the data items from the data source, classified in class 709, subclass 219.
  - II. Claims 10-19, drawn to a method for accessing data items within at least one data source by creating a document with at least one conference associated therein for representing data items, and control accessing via an instance, classified in class 707, subclass 2.
  - III. Claims 20-26, drawn to a system for communication between users with means for creating information from a user terminal, distributing the information to other user terminals, and modifying information in a selected format at other user terminals, classified in class 707, subclass 10.
- 2. The inventions are distinct, each from the other because of the following reasons:

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Inventions I-III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. For example, Group I is drawn to a system with at least one server for accessing data item in at least one data source, one client, one data channel for providing an interface between server and client, and one client tool for displaying the data items from the data source, Group II is a method for accessing data items within at least one data source by creating a document with at least one conference associated therein for representing data items, and control accessing via an instance, Group III is drawn to a system for communication between users with means for creating information from a user terminal, distributing the information to other user terminals, and modifying information in a selected format at other user terminals. See MPEP 806.05(d).

- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. Applicants are advised that the reply to this requirement to be completed must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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5. Applicants is reminded that upon the cancellation of claims to a non-

elected invention, the inventorship must be amended in compliance with 37 CFR

1.48(b) if one or more of the currently named inventors is no longer an inventor of at

least one claim remaining in the application. Any amendment of inventorship must be

accompanied by a petition under 37 CR 1.48(b) and by the fee required under 37 CFR

1.17(i).

**Contact Information** 

6. Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Hung Pham whose telephone number is 703-605

4242. The examiner can normally be reached on Monday-Friday, 7:00 Am - 3:30 Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, VU, KIM YEN can be reached on 703-305 4393. The fax phone numbers

for the organization where this application or proceeding is assigned are 703-746 7239

for regular communications and 703-746 7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-305 3900.

Examiner: Hung Pham February 11, 2003

KIM VII

SUPERVISORY PATENT EXAMINER

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